

BILL ANALYSIS

H.B. 1527
By: Simmons
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that a person with a disability should be classified as an economically disadvantaged person for purposes of certain benefits made available to historically underutilized businesses. H.B. 1527 seeks to address this issue by adding such persons to the category of economically disadvantaged persons for the purposes of state contracting with historically underutilized businesses.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the comptroller of public accounts in SECTION 2 of this bill.

ANALYSIS

H.B. 1527 amends the Government Code to include a person with a disability as defined by the federal Americans With Disabilities Act (ADA) as an "economically disadvantaged person" under statutory provisions relating to historically underutilized businesses for purposes of state contracting. The bill requires the comptroller of public accounts to adopt rules to provide goals for increasing the contract awards for the purchase of goods or services by the comptroller and other state agencies to businesses that qualify as historically underutilized businesses because the businesses are owned or are owned, operated, and controlled, as applicable, wholly or partly by one or more persons with a disability as defined by the ADA. The bill specifies that these goals are in addition to other established goals relating to rules based on the results of a specified disparity study and to contracts awarded to historically underutilized businesses owned, operated, or controlled by certain veterans with a service-connected disability and prohibits those other goals from being reduced as a result of the goals established under the bill's provisions.

H.B. 1527 requires a business that is owned by one or more persons who qualify as economically disadvantaged solely based on being a person with a disability as defined by the ADA and that is seeking certification as a historically underutilized business by the comptroller to submit to the comptroller an affidavit from the physician of each owner claiming a disability verifying that owner's disability.

EFFECTIVE DATE

September 1, 2017.